



Entered on Docket
September 21, 2011

A handwritten signature in dark ink, appearing to read "Linda B. Riegle".

Hon. Linda B. Riegle
United States Bankruptcy Judge

LEWIS AND ROCA LLP

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Attorneys for USACM Liquidating Trust

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA**

In re:

**USA COMMERCIAL MORTGAGE
COMPANY,**

Debtor.

Case No. BK-S-06-10725-LBR
Chapter 11

**Order Sustaining Eleventh Omnibus
Objection Of USACM Trust To Proofs Of
Claim Based In Part Upon Investment In
The Fox Hills 216, LLC Loan; Except for
Proof of Claim of Robert Susskind; and
Notice of Status Hearing re Robert
Susskind Proof of Claim**

Hearing Date: August 30, 2011
Hearing Time: 10:30 a.m.

The Court having considered the "Eleventh Omnibus Objection Of USACM Trust To Proofs Of Claim Based In Whole or In Part Upon Investment in The Fox Hills 216, LLC, Loan," ("Fox Hills Loan") [DE 8622] (the "Objection"); the Court having heard the Objection on August 30, 2011; appropriate notice of the Objection having been given; an informatl response having been received from Robert Susskind; no other responses to the

1 Objection having been filed; the Court noting on the record that the disallowance of the
2 Claims listed on **Exhibit A** does not affect the direct lenders' right to repayment by the
3 borrower or from the collateral securing the Fox Hills Loan; and good cause appearing:

4 **IT IS ORDERED** that:

5 1. The Objection [DE 8622], except for the Robert Susskind proof of claim, is
6 sustained;

7 2. The claims listed on **Exhibit A** attached, except for the Robert Susskind
8 proof of claim No. 10725-01872, are disallowed to the extent those claims are based upon
9 an investment in the Fox Hills Loan;

10 3. The Robert Susskind proof of claim No. 10725-01872 is set for a status
11 hearing on September 30, 2011 at 9:30 a.m.; and

12 4. If Robert Susskind fails to appear, it will be presumed that the response has
13 been withdrawn.

14 PREPARED AND RESPECTFULLY SUBMITTED BY:

15 **LEWIS AND ROCA LLP**

16
17 By /s/ John Hinderaker (AZ #018024)

18 Robert M. Charles, Jr.

19 John Hinderaker (*pro hac vice*)

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24 *Attorneys for USACM Liquidating Trust*

LOCAL RULE 9021 CERTIFICATION

In accordance with LR 9021, counsel submitting this document certifies that the order accurately reflects the court's ruling and that (check one):

_____ This Court has waived the requirement set forth in LR 9021(b)(1).

_____ No party appeared at the hearing or filed an objection to the motion.

XXX I have delivered a copy of this proposed order to all counsel who appeared at the hearing, and any unrepresented parties who appeared at the hearing, and each has approved or disapproved the order, or failed to respond, as indicated below [list each party and whether the party has approved, disapproved, or failed to respond to the document]:

_____ I certify that this is a case under Chapter 7 or 13, that I have served a copy of this order with the motion pursuant to LR 9014(g), and that no party has objected to the form or content of the order

U.S. Trustee: _____	
<input type="checkbox"/> approved the form of this order	<input type="checkbox"/> disapprove d the form of this order
<input checked="" type="checkbox"/> waived the right to review the order and/or	<input type="checkbox"/> failed to respond to the document
Other Party: <u>Robert Susskind</u>	
<input type="checkbox"/> approved the form of this order	<input type="checkbox"/> disapprove d the form of this order
<input type="checkbox"/> waived the right to review the order and/or	<input checked="" type="checkbox"/> failed to respond to the document

s/ Robert Susskind

Robert Susskind

E-mail: bob.susskind@krisspartners.com

Tel. 775-846-6407

Submitted by:

LEWIS AND ROCA LLP

By: /s/ John Hinderaker. (AZ #018024)

Attorneys for USACM Liquidating Trust

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**USACM Trust
Fox Hills 216, LLC
Multiple Loan Claims**

Claim	Date Claim was Filed	Name	Address	Total Claim Amount	Approximate Amount Subject to Objection Because it Relates to an Investment In the Foxhill 216, LLC Loan
10725-00245	9/26/2006	Robert H & Lynn R Perlman Trust Dated 9/17/92	C/O Robert H & Lynn R Perlman Ttees 2877 Paradise RD Unit 3501 Las Vegas, NV 89109-5278	1,187,000.00	50,000.00
10725-01660	12/9/2006	Robert J. And Ruth Ann Kehl	Janet L Chubb, Atty. At Law Armstrong Teasdale LLP 50 W. Liberty, Suite 950 Reno, NV 89501	12,841,680.13	400,000.00
10725-01419	12/4/2006	S&P Davis Limited Partnership	737 Bannerman Lane Fort Mill, SC 29715	419,981.00	25,000.00
10725-01472	11/15/2006	Santoro Family Trust Utd 4/29/02	C/O Nicholas J & Juanita Santoro Ttees 2312 Pearl Crest St Las Vegas, NV 89134-6732	300,000.00	100,000.00
10725-00774	10/27/2006	Sklar, Barbara	2429 Bryan Ave Venice Beach, CA 90291	200,000.00	50,000.00
10725-01371	11/13/2006	Spangler, William M & Jean A	3460 Squaw Road West Sacramento, CA 95691	147,895.00	50,000.00
10725-01872	1/8/2007	Susskind, Robert	9900 Wilber May Pkwy #206 R Reno, NV 89521	306,214.00	50,000.00
10725-02191	1/12/2007	Tds Revocable Family Trust Dtd 9/29/98	T Dwight & Bonnie J Sper Ttees 1005 Cypress Ridge LN Las Vegas, NV 89144-1425	1,778,674.00	100,000.00
10725-01969	1/10/2007	Terry Markwell Profit Sharing Plan & Trust	Terry Markwell Ttee 12765 Silver Wolf Rd Reno, NV 89511	807,706.42	50,000.00
10725-00623	10/17/2006	Thibault, Gary A & Sandra C	4525 Dawn Peak St Las Vegas, NV 89129-3235	105,074.00	656.00

EXHIBIT A

2452202.1